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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jametria Mays,

Plaintiff

vs.

Powder Coating Plus, Inc, et al.,

Defendants

Case No. 2:24-cv-00234-JAD-MDC

**Order Adopting Report and
Recommendation for Dismissal of Certain
Claims**

On 5/16/24 the magistrate judge entered this report and recommendation [ECF No. 7]:

The Court previously granted pro se plaintiff Jametria Mays's application to proceed in forma pauperis. ECF No. 5. The Court ordered that plaintiff's claims for sexual harassment, hostile work environment, FMLA claim, and racial discrimination were dismissed without prejudice with leave to amend. *Id.* The Court ordered that if plaintiff did not file an amended complaint, she would proceed on her single claim of retaliation only. *Id.* Plaintiff has not filed an amended complaint and her time to do so has passed.

For the reasons discussed in the Court's earlier screening order (ECF No. 5), plaintiff's claims for sexual harassment, hostile work environment, FMLA claim, and racial discrimination should be dismissed. Plaintiff will not be prejudiced because she has an opportunity to object to this report and recommendation. Plaintiff shall proceed on her single claim of retaliation only.

ACCORDINGLY,

The Court RECOMMENDS that plaintiff's claims for sexual harassment, hostile work environment, FMLA claim, and racial discrimination should be DISMISSED.

The Court ORDERS that plaintiff shall proceed with her single claim of retaliation only.

The Court FURTHER ORDERS that the Clerk of Court shall issue summons to Powder Coating Plus, Inc.


1 The Court FURTHER ORDERS that plaintiff Jametria Mays shall serve copies of her Complaint
2 and summons upon Powder Coating Plus, Inc. by no later than **August 25, 2024**.

3 The Court FURTHER ORDERS that plaintiff Jametria Mays shall familiarize herself with the
4 Rules of Civil Procedure and the Local Rules regarding service of process and next steps to prosecute
5 this case.

6 **ORDER**

7 The deadline for any party to object to this recommendation was May 30, 2024, and no party
8 filed anything or asked to extend the deadline to do so. “[N]o review is required of a magistrate judge’s
9 report and recommendation unless objections are filed.” *United States v. Reyna-Tapia*, 328 F.3d 1114,
10 1121 (9th Cir. 2003). Having reviewed the report and recommendation, I find good cause to adopt it,
11 and I do. IT IS THEREFORE ORDERED that **the Magistrate Judge’s Report and Recommendation**
12 **[ECF No. 7] is ADOPTED** in its entirety. **Plaintiff's claims for sexual harassment, hostile work**
13 **environment, violation of the FMLA, and racial discrimination are DISMISSED, so this case**
14 **proceeds on the retaliation claim only.**

15 The plaintiff must serve her complaint and summons, along with a copy of this order, on
16 Powder Coating Plus, Inc. by August 25, 2024.

17 
18 U.S. District Judge Jennifer Dorsey
June 5, 2024